

THIS NOTICE REQUIRES ACTION ON OR BEFORE NOVEMBER 18, 2019

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO *et al.*,

Debtors.¹

PROMESA
Title III

Case No. 17-BK-3283 (LTS)

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE EMPLOYMENT RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO *et al.*,

Debtor.

PROMESA
Title III

Case No. 17-BK-3566 (LTS)

**NOTICE OF PARTICIPATION IN LITIGATION
OF OBJECTIONS TO ERS BOND CLAIMS**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

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This Notice of Participation must be served and filed no later than November 18, 2019 in accordance with the instructions set forth at the end of this document.

Absent permission granted by the District Court upon a showing of good cause, any party that has notice of the Initial Objection Procedures but (a) fails to file a Notice of Participation or (b) files a Notice of Participation after November 18, 2019, shall be prohibited from filing separate pleadings with respect to the Claim Objections (as defined in the Initial Objection Procedures), including filing any Additional Claim Objections (as defined in the Initial Objection Procedures).

The party identified below (“Participant”) hereby advises the Official Committee of Unsecured Creditors, the Official Committee of Retired Employees of the Commonwealth of Puerto Rico, the Financial Oversight and Management Board for Puerto Rico, the Special Claims Committee of the Financial Oversight and Management Board for Puerto Rico, and the Puerto Rico Fiscal Agency and Financial Advisory Authority that it intends to participate in the litigation of the Claim Objections with respect to bonds issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico in 2008 (the “ERS Bonds”).

To ensure full participation rights in the litigation of the Claim Objections, Participant provides all of the information requested in items 1 through 3 below:

1. Participant’s contact information, including email address, and that of its counsel, if any:

<u>Lawful Constitutional Debt Coalition²</u>	<u>Quinn Emanuel Urquhart & Sullivan, LLP</u>
Participant Name	Firm Name (if applicable)
<u>Susheel Kirpalani</u>	<u>Susheel Kirpalani</u>
Contact Person (if Participant is not an individual)	Contact Person
<u>susheelkirpalani@quinnemanuel.com</u>	<u>susheelkirpalani@quinnemanuel.com</u>
Email Address	Email Address
<u>51 Madison Avenue</u>	<u>51 Madison Avenue</u>
Address line 1	Address line 1
<u>22nd Floor</u>	<u>22nd Floor</u>
Address line 2	Address line 2
<u>New York, New York 10010</u>	<u>New York, New York 10010</u>
City, State Zip Code	City, State Zip Code

² The members of the Lawful Constitutional Debt Coalition may elect to participate either individually pursuant to separate Notices of Participation or pursuant to this Notice of Participation.

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2. Participant advises that it (choose **one** of the following by marking "X" in the appropriate space):³

_____ intends to **support** the relief requested in the Claim Objections (i.e., Participant believes the District Court should find that the ERS Bonds are **invalid**); or

_____ intends to **oppose** the relief requested in the Claim Objections (i.e., Participant believes that the District Court should find that the ERS Bonds are **valid**)

3. If Participant is not a holder of an ERS Bond, it can skip to the end of this Notice and sign. If Participant is a holder of one or more ERS Bonds, Participant must respond to the following paragraphs (a) and (b) to the best of Participant's knowledge.

(a) Provide the CUSIP Numbers of all ERS Bonds held by Participant:

(b) Did Participant purchase any of its ERS Bonds in whole or in part on the secondary market? **YES** or **NO** (please circle one).

By: _____

Signature

_____ Susheel Kirpalani

Print Name

Title (if Participant is not an Individual)

_____ 11/18/2019

Date

Instructions for Serving and Filing Notice of Participation: This Notice of Participation must be (i) **served** by email on the Notice Parties set forth in paragraph 8 of the Objection Procedures and (ii) **filed** electronically with the District Court pursuant to its Electronic Case Filing procedures. **If the Participant is not represented by counsel, the Participant may file a paper copy of this Notice of Participation with the District Court by delivering such Notice of Participation by mail or by hand addressed to: The Clerk of the United States District Court for the District of Puerto Rico, Room 150 Federal Building, 150 Carlos Chardon Avenue, San Juan, PR 00918-1767.**

³ Participant does not presently take a position on the Claims Objection. Participant reserves its rights to participate in aspects of the Claims Objection that are currently subject to the Court's Order staying certain claims to the extent the Claims Objection relates to claims asserted against the Commonwealth. *See Order Granting Urgent Joint Motion to Modify Order Regarding Stay and Mandatory Mediation with Respect to Certain Issues Raised in Certain Contested Matters and Adversary Proceedings Related to the Bonds Issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico* (ECF 8962, ¶¶ 4-5).